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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY

*Paul*

DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

June 2008 Grand Jury

**08 CR 2422**

**WQH**

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) | Criminal Case No. _____         |
|                           | ) |                                 |
| Plaintiff,                | ) | <u>I N D I C T M E N T</u>      |
|                           | ) |                                 |
| v.                        | ) | Title 8, U.S.C., Secs. 1326(a)  |
|                           | ) | and (b) - Attempted Entry After |
| PEDRO MERGIL-VARGAS,      | ) | Deportation                     |
|                           | ) |                                 |
| Defendant.                | ) |                                 |

The grand jury charges:

On or about June 2, 2008, within the Southern District of California, defendant PEDRO MERGIL-VARGAS, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that

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CJB:em:San Diego  
7/22/08

*CF*

1 was a substantial step toward committing the offense, all in violation  
2 of Title 8, United States Code, Sections 1326(a) and (b).

3 It is further alleged that defendant PEDRO MERGIL-VARGAS was  
4 removed from the United States subsequent to May 26, 2004.

5 DATED: July 23, 2008.

6 A TRUE BILL:

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8   
9 Foreperson

10 KAREN P. HEWITT  
11 United States Attorney

12 By:

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14 CARLA J. BRESSLER  
15 Assistant U.S. Attorney  
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